

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

DAVID L. FOREMAN,

Plaintiff,

versus

MICHAEL J. ASTRUE,¹
Commissioner of Social Security
Administration,

Defendant.

CIVIL ACTION NO. 1:06-CV-49

ORDER ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

The Court heretofore ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, for consideration pursuant to applicable law and orders of this Court. The Court has received and considered the Report of the United States Magistrate Judge pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report of the United States Magistrate Judge were filed by the parties.

The court concludes that the findings of fact and conclusions of law of the United States Magistrate Judge are correct, and the Report of the United States Magistrate Judge is **ADOPTED**. A Final Judgment will be entered separately, affirming the decision of the Commissioner and dismissing this action.

¹ Michael J. Astrue was appointed Commissioner of Social Security Administration on February 12, 2007. He is automatically substituted as a party under 42 U.S.C § 405(g) and Rule 25(d)(1), Federal Rules of Civil Procedure.

SIGNED at Beaumont, Texas, this 4th day of May, 2007.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line extending from the end of the name.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE